

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

_____)	
In the Matter of the Application of CBBQ)	
Franchising, LLC for a Retailer-to-Retailer Permit)	
Allowing for the Transfer of Ownership of)	ORDER
Alcoholic Beverages to Tropicana Atlantic City)	PRN 2051201
Corp.)	
(Retail to Retail Alcohol Transfer))	
_____)	

CBBQ Franchising, LLC d/b/a Corky's Ribs & BBQ ("Corky's") and Tropicana Atlantic City Corp. d/b/a Tropicana Casino and Resort ("Tropicana") requested authorization from the Division of Gaming Enforcement ("Division") for the transfer of ownership of alcoholic beverages, formerly in the possession and control of Corky's, to Tropicana. As Corky's and Tropicana each hold a Casino Hotel Alcoholic Beverage ("CHAB") license, Corky's holds license **3333-01-033-001** and Tropicana holds license **3333-00-059-001**, such a transfer would constitute a "sale" from one retail license holder to another necessitating prior approval from the Division upon a showing of good cause.

Corky's had operated its licensed premises, a restaurant, within Tropicana's casino hotel facility at the location known as The Marketplace at Tropicana. On or about December 24, 2011, Corky's ceased business operation at its licensed premises and vacated the premises. Through Corky's legal counsel, the Division has been advised that Corky's does not intend to operate that restaurant. Since the time of the cessation of Corky's business, the inventory of alcoholic beverages left by Corky's on its former premises has been under the possession and control of Tropicana which

has secured the beverages on Corky's former business premises. By mutual agreement, Corky's seeks to transfer that inventory of alcoholic beverages to Tropicana. As both licensees hold CHAB licenses authorizing the retail sale of alcoholic beverages, the transfer of alcoholic beverages from one retail licensee to another retail licensee requires authorization by the Division for good cause shown.

As Corky's will no longer operate its licensed business premises and has permanently relinquished possession and control of those premises to Tropicana, and as Corky's no longer has a licensed premises within which to conduct the retail sale of alcoholic beverages and has expressed its intention to effectuate a transfer of those alcoholic beverages to Tropicana; and

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, and pursuant to the Division's authority to issue a temporary miscellaneous contingency permit under *N.J.A.C. 13:69I-5.6*, and for good cause having been shown by the parties involved, I hereby ORDER that the request be granted and that Corky's be permitted to transfer its existing inventory of alcoholic beverages to Tropicana for retail sale by Tropicana.

Dated: July 24, 2012


DAVID L. REBUCK
DIRECTOR